

REMARKS/ARGUMENTS

Favorable consideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 1-3 and 5 are pending, with Claims 1, 2 and 5 having been amended and Claim 4 cancelled by the present amendment.

In the Official Action, Claim 1 was objected to; Claims 1-3 and 5 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Applicants' admitted prior art in view of Simon et al. (IEEE Transactions on Communications, Vol. 40, Issue 2, February 1992; hereinafter Simon); and Claim 4 was indicated as containing allowable subject matter.

Claim 1 is amended to include the allowable subject matter of Claim 4. Claims 1, 2 and 5 are further amended to state open ended language and to delete reference numeral designations consistent with U.S. patent practice. Otherwise, the claims are not substantively amended, and no new matter has been added.

Accordingly, in view of the present amendment and in light of the previous discussion, Applicants respectfully submit that the present application is in condition for allowance and respectfully request an early and favorable action to that effect.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)
MJS/MEM:aif

Michael E. Monaco
Registration No. 52,041